

1 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
2 A Limited Liability Partnership
3 Including Professional Corporations
4 HAYLEY S. GRUNVALD, Cal. Bar No. 227909
5 hgrunvald@sheppardmullin.com
6 12275 El Camino Real, Suite 200
7 San Diego, CA 92130-4092
8 Telephone: (858) 720-8900
9 Facsimile: (858) 509-3691

10 MOJI SANIEFAR, Cal. Bar. No. 233330
11 msaniefar@sheppardmullin.com
12 1540 El Camino Real, Suite 120
13 Menlo Park, CA 94025
14 Telephone: (650) 815-2600
15 Facsimile: (650) 815-2601

16 Attorneys for Defendant,
17 Akuranvyka USA Inc.

18 CENTER FOR DISABILITY ACCESS
19 Amanda Seabock, Esq., SBN 289900
20 Dennis Price, Esq., SBN 279082
21 Prathima Price, Esq., SBN 321378
22 Aaina Duggal, Esq., SBN 333681
23 100 Pine St., Ste 1250
24 San Francisco, CA 94111
25 Tel: (858)375-7385; Fax (888)422-5191
26 aainad@potterhandy.com

17 UNITED STATES DISTRICT COURT
18
19 NORTHERN DISTRICT OF CALIFORNIA

20 Brian Whitaker, an individual,

21 Plaintiff,

22 vs.

23 Akuranvyka USA Inc,
24 a California Corporation

25 Defendant.

26 Case No. 4:21-cv-09994-JST

27 **JOINT STIPULATION AND
28 [PROPOSED] ORDER TO EXTEND
DEADLINE FOR JOINT SITE
INSPECTION**

29 The Honorable; Jon S. Tigar

30 Filed: December 27, 2021
31 Current Site Inspection: Jun 17, 2022
32 New Site Inspection: July 1, 2022
33 Trial Date: None Set

**JOINT STIPULATION AND [PROPOSED] ORDER TO EXTEND
DEADLINE TO CONDUCT JOINT SITE INSPECTION**

3 Plaintiff Brian Whitaker and Defendant Akuranvka USA Inc. (“Defendant”)
4 jointly stipulate to extend the deadline to conduct a Joint Site Inspection (“JSI”)
5 pursuant to General Order 56. The current deadline to conduct the JSI is June 17,
6 2022. By way of this Stipulation, the Parties seek to extend the JSI deadline to July
7 1, 2022; however, to the extent the Court has not ruled on Defendant’s pending
8 Motion to Dismiss by July 1, 2022, the Parties agree to extend the JSI deadline to a
9 date that is 14-days after the Court’s Order is issued. The Parties believe that good
10 cause exists based on the following:

11 WHEREAS, the instant case was filed by Plaintiff on December 27, 2021.

12 WHEREAS, on April 18, 2022, Defendant filed a Motion to Dismiss
13 Plaintiff's Complaint for Lack of Standing and a Request for an Evidentiary Hearing
14 (the "Motion") [see Dkt. No. 18.];

15 WHEREAS, a hearing date of June 9, 2022 has been assigned to Defendant's
16 Motion;

17 WHEREAS, the Defendant has requested that the joint site inspection be
18 continued to July 1, 2022;

19 WHEREAS, Plaintiff and Defendant jointly stipulate to extending the
20 deadline to conduct the JSI deadline from June 17, 2022 to July 1, 2022.

21 WHEREAS, the Defendant has advised it is reserving its right to request
22 another extension should the Court not issue a ruling by July 1.

23 NOW THEREFORE, it is hereby stipulated by and between Plaintiff and
24 Defendant, that the deadline to conduct a JSI will be continued to July 1, 2022.

25 IT IS SO STIPULATED.

26 | //

27 | //

28 | //

Dated: May 16, 2022

Respectfully submitted,

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By /s/ Hayley S. Grunvald
HAYLEY S. GRUNVALD
MOJI SANIEFAR

Attorneys for Defendant,
AKURANVYKA USA INC.

Dated: May 16, 2022

By _____

/s/ *Aaina Duggal*
AAINA DUGGAL

Attorneys for Plaintiff,
BRIAN WHITAKER

1 **SIGNATURE ATTESTATION**
2

3 I hereby attest that all signatories listed above, on whose behalf this
4 stipulation is submitted, concur in the filing's content and have authorized the filing.
5

6 Dated: May 16, 2022

By: /s/ Hayley S. Grunvald

7 Attorney for Defendant,
8 AKURANVYKA USA INC.
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